

Message Text

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PAGE 01 BRUSSE 00596 301037Z

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ACTION EB-11

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FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 9758

INFO USMISSION EC BRUSSELS UNN

USMISSION GENEVA

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E. O. 11652: N/A

TAGS: ETRD, BE

SUBJECT: NEW BELGIAN REQUIREMENTS FOR IMPORTED MOTOR VEHICLES

REF: BRUSSELS 4729; STATE A-7393; STATE 211940

1. THE ADDITIONAL STANDARDS WHICH ARE REQUIRED BY THE BELGIAN GOVERNMENT ARE AS FOLLOWS:

A. FRONT PARKING LIGHTS - REQUIRE WHITE LIGHTS IN LIEU OF AMBER ONES.

LIGHTS ON SIDES OF BACK FENDER MUST BE BLANKED OUT.

REFLECTORS: TWO ADDITIONAL RED REFLECTORS MUST BE INSTALLED IN REAR OF AUTOMOBILE -- REFLECTORS MUST HAVE A SMALL "B" (BELGIAN NORMS) OR "E" (EUROPEAN CODE).

TAIL LIGHTS: LIGHTS MUST BE RED; WHERE THE LIGHTS ARE IN CONTINUOUS LINE, THE LEFT AND RIGHT LIGHTS MUST BE SEPARATED FROM ONE ANOTHER BY A DISTANCE OF 60 CENTIMETERS.

SAFETY BELTS: SAFETY BELTS AND FASTENERS MUST MEET BELGIAN AND EUROPEAN NORMS. THEY ACCEPT U. S. FACTORY INSTALLED UNITS.

POLLUTION: THE BELGIAN GOVERNMENT ACCEPTS U. S. STANDARDS WITHOUT ANY CHANGES.

SPEEDOMETER: THE BELGIANS CHANGE THE U. S. MILES PER HOUR INDICATION BY PUTTING THE KILOMETER NUMBERS ON THE EXISTING GLASS COVER.

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PAGE 02 BRUSSE 00596 301037Z

THE POLLUTION CONTROL IS IN ACCORDANCE WITH ECE AND GENEVA STANDARDS.

THE SAFETY BELTS AND SAFETY BELT FASTNERS ARE IN ACCORDANCE WITH GENEVA STANDARDS.

EMBASSY COMMENT: THE BELGIAN AUTOMOBIL INSPECTION REGULATIONS ARE NON-DISCRIMINATORY IN THE SENSE THAT THEY APPLY EQUALLY TO ALL VEHICLES IRRESPECTIVE OF COUNTRY OF ORIGIN. HOWEVER, THE U. S. INDUSTRY DIFFERS FROM THAT OF MOST OTHER COUNTRIES BECAUSE OF THE PRACTICE OF OFFERING A WIDE ARRAY OF OPTIONS AND OF CHANGING MODELS ANNUALLY, WHICH LEADS TO A VERY LARGE NUMBER OF "MODELS" UNDER BELGIAN DEFINITIONS. EUROPEAN MANUFACTURERS, ON THE OTHER HAND, PRODUCE FEWER MODELS AND CARRY THEM OVER A PERIOD OF YEARS. THE EFFECT IS TO MAKE THE IMPORT OF THE FULL RANGE OF U. S. AUTOMOBILES MORE EXPENSIVE AND MORE COMPLICATED AS EACH "MODEL" MUST BE CERTIFIED. THIS IS ESPECIALLY DIFFICULT FOR THE SINGLE-CAR PURCHASE OF A SPECIFIC MODEL OF U. S. AUTOMOBIL. SHOULD U. S. COMPANIES MAKE A SERIOUS EFFORT TO MARKET A LIMITED SELECTION OF MODELS, THIS COMPETITIVE DISADVANTAGE WOULD BE LARGELY OFFSET AS THE COSTS WOULD BE SPREAD OUT OVER A NUMBER OF VEHICLES, AS IS THE CASE WITH OUT EUROPEAN COMPETITORS.

THE AMOUNT OF TRADE DAMAGE OCCASIONED BY THE BELGIAN INSPECTION REGULATIONS IS SMALL. ACTUALLY, A RELATIVELY LARGE NUMBER OF U. S. AUTOMOBILE MODELS HAVE BEEN CERTIFIED (CERTIFICATE OF CONFORMITY AUTOMATICALLY ISSUED) THOUGH THE FACT OF ANNUAL MODEL CHANGES MAKES THIS LIST DECEPTIVE. OUR INDUSTRY CONTACTS HAVE CONFIRMED THAT U. S. MANUFACTURERS HAVE NOT BEEN INTERESTED IN SIGNIFICANT MARKETING OF U. S. - ORIGIN AUTOMOBILES IN EUROPE, SINCE THE MODELS WITH THE BEST CHANCES FOR LARGE-SCALE SALES WOULD COMPETE WITH MODELS PRODUCED BY THEIR EUROPEAN SUBSIDIARIES FOR THE EUROPEAN MARKET.

WE HAVE DISCUSSED WITH BELGIAN OFFICIALS THE POSSIBILITY OF OBTAINING EXEMPTIONS FOR U. S. VEHICLES OR THE ACCEPTANCE OF U. S. STANDARDS. IT APPEARS THAT AN EXEMPTION MIGHT BE ARRANGED FOR OFFICIALS U. S. VEHICLES WITH THE PROVISIO THAT THESE VEHICLES MUST BE CERTIFIED BEFORE THEY ARE EVENTUALLY SOLD TO PERSONS IN A NON-OFFICIAL STATUS. THERE SEEMS TO BE LITTLE POSSIBILITY OF OBTAINING INDIVIDUAL EXCEPTIONS FOR NON-OFFICIAL VEHICLES, AS THIS WOULD LEAD TO DEMANDS FROM OTHER COUNTRIES FOR SIMILAR EXEMPTIONS WHICH THE BELGIANS ARE NOT WILLING TO CONSIDER. THE BELGIANS BRING FORTH THE SAME ARGUMENT WITH REGARD TO ACCEPTING U. S. STANDARDS.

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PAGE 03 BRUSSE 00596 301037Z

C. THE INSPECTION CHARGES CONSIST OF THE INSPECTION COST ONLY. THE REASON FOR THE HIGH COST IS ATTRIBUTED TO THE FACT THAT THE DEALER HAS TO PAY THE BELGIAN GOVERNMENT TO CONDUCT AN INSPECTION.

THEY MEASURE THE SIZE OF THE TIRES, SIZE OF BRAKEDRUM AND BRAKEBAND, SIZE OF THE EXHAUST SYSTEM, ETC, THIS INSPECTION TAKES ABOUT ONE WEEK TO COMPLETE. THE EMBASSY WAS ABLE TO GET THE CHRYSLER REPRESENTATIVE IN BELGIUM TO CONDUCT THIS INSPECTION FOR \$200 PER AUTOMOBILE FOR THE TWO OFFICIAL STATION WAGONS WHICH WERE RECENTLY

RECEIVED IN BRUSSELS. THE EMBASSY HAS NOT RECEIVED ANY FIRM PRICE FOR FUTURE AUTOMOBILES FROM CHRYSLER NOR HAS THE EMBASSY RECEIVED A FIRM PRICE FROM GENERAL MOTORS OR FORD. HOWEVER, THE EMBASSY IS REQUIRED TO SHOW THE COST OF \$500 TO \$900 FOR THIS INSPECTION WHICH HAS BEEN QUOTED BY CHRYSLER UNTIL SUCH TIME AS A NEW CONFIRMED CHARGE CAN BE QUOTED.

D. WHEN AN AUTOMOBILE DOES NOT CONFIRM TO THE BELGIAN STANDARDS, THE FOLLOWING STEPS ARE TAKEN BY THE EMBASSY:

A LETTER IS SENT TO THE MANUFACTURER'S REPRESENTATIVE IN BELGIUM REQUESTING A LETTER OF AUTHORIZATION FOR REGISTRATION IN BELGIUM. THE DEALER HAS TO CONFIRM TO THE MINISTRY OF COMMUNICATION WHAT, IF ANY, DIFFERENCES EXIST BETWEEN THE AUTOMOBILE IN QUESTION AND SIMILAR MODELS. THIS CAN ONLY BE ACCOMPLISHED AFTER THE BELGIAN GOVERNMENT HAS INSPECTED THE VEHICLE AS OUTLINED IN PARAGRAPH 1A. WHEN THE INSPECTION IS COMPLETED AND THE FINDINGS ARE RECEIVED A NUMBER IS ISSUED TO THE OWNER. THE LETTER WILL ALSO INDICATE WHAT CHANGES, IF ANY, ARE REQUIRED PRIOR TO ISSUING THE CERTIFICATE OF CONFORMITY. THE AUTOMOBILE WILL THEN BE SCHEDULED FOR THE TECHNICAL INSPECTION WHERE THE GENERAL CONDITION OF THE VEHICLE WILL BE INSPECTED. AFTER ACCEPTANCE BY THE TECHNICAL INSPECTION THE LICENSE PLATES MAY BE OBTAINED WITHOUT FURTHER DELAY. THE ABOVE PROCEDURE TAKES FROM ONE TO THREE MONTHS, HOWEVER, THE AVERAGE TIME IS ABOUT 45 DAYS.

THE IMPORTER IS NOT REQUIRED TO POST ANY BOND.

E. THERE IS ABSOLUTELY NO GENERAL WAIVER FROM THE REQUIREMENT TO CONFORM WITH STANDARDS.

(A) NO. (B) NO. (C) NO. (D) NO.

F. THE REGULATION ACCEPTS CERTIFICATION BY FOREIGN AUTOMOBILE MANUFACTURERS AS TO CONFORMITY WITH BELGIAN STANDARDS, AS LONG AS THE MINISTRY OF COMMUNICATIONS HAS A SAMPLE OF THE SIGNATURE OF THE PERSON

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PAGE 04 BRUSSE 00596 301037Z

SIGNING THESE CERTIFICATES. NORMALLY, THE IMPORTER IN BELGIUM REACHES AN AGREEMENT WITH THE MANUFACTURER AND TAKES CARE OF ISSUING THE CERTIFICATE.

G. THE REGULATION APPLIES AND AFFECTS CARS IMPORTED BY THE OWNER AND MANUFACTURED IN ALL COUNTRIES OUTSIDE BELGIUM, INCLUDING OTHER MEMBER STATES OF THE EUROPEAN COMMUNITIES. THIS REGULATION DOES NOT APPLY TO NEW CARS PURCHASED IN BELGIUM, AS THE DEALER PROVIDES THE NECESSARY CERTIFICATE. STRAUSS-HUPE

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Disposition Approved on Date:
Disposition Authority: golinofr
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Disposition Date: 28 MAY 2004
Disposition Event:
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